

Mississippi Secretary of State
700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Mississippi State Port Authority at Gulfport		CONTACT PERSON Matthew S. Wypyski	TELEPHONE NUMBER (228) 865-4300
ADDRESS P.O. Box 40		CITY Gulfport	STATE MS
EMAIL mwypyski@shipmspa.com	SUBMIT DATE 4-11-13	Name or number of rule(s): Part 307 – Bylaws of the MSPA	

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: The purpose of the amendments are to meet the compliance requirements of the Mississippi Secretary of State for submission into the Administrative Bulletin for eventual publication into the Administrative Code.

Specific legal authority authorizing the promulgation of rule: Miss. Code Ann. § 59-5-1, *et seq.*

List all rules repealed, amended, or suspended by the proposed rule: Part 307 – Bylaws of the MSPA.

ORAL PROCEEDING:

☐ An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____

☒ Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

ECONOMIC IMPACT STATEMENT:

☐ Economic impact statement not required for this rule. ☒ Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	Action proposed: _____ New rule(s) <input checked="" type="checkbox"/> Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference Proposed final effective date: <input checked="" type="checkbox"/> 30 days after filing _____ Other (specify): _____	Date Proposed Rule Filed: _____ Action taken: _____ Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed Effective date: _____ 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: Matthew Wypyski, Interim Executive Director

Signature of person authorized to file rules: 

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
		
Accepted for filing by _____	Accepted for filing by 	Accepted for filing by _____

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.



DELBERT HOSEMAN
Secretary of State

CONCISE SUMMARY OF ECONOMIC IMPACT STATEMENT

An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. This is a Concise Summary of the Economic Impact Statement which must be filed with the Secretary of State's Office.

AGENCY NAME Mississippi State Port Authority	CONTACT PERSON Matthew Wypyski	TELEPHONE NUMBER 228-865-4300
ADDRESS P.O. Box 40	CITY Gulfport	STATE MS
EMAIL mwypyski@shipmspa.com	ZIP 39502	
DESCRIPTIVE TITLE OF PROPOSED RULE Part 307 -- Bylaws of the MSPA		
Specific Legal Authority Authorizing the promulgation of Rule: Miss. Code Ann. 59-5-1, <i>et seq.</i>		Reference to Rules repealed, amended or suspended by the Proposed Rule: Part 307 -- Bylaws of the MSPA

A. Estimated Costs and Benefits

1. Briefly summarize the benefits that may result from this regulation and who will benefit:

The proposed regulation will primarily benefit MSPA's governing body (MSPA Board of Commissioners) by defining and describing the governance structure and decision-making processes of the MSPA as it pertains to the MSPA Board of Commissioners.

2. Briefly describe the need for the proposed rule:

To amend certain portions of the MSPA Bylaws to help efficiently organize and manage the decision-making of the MSPA Board of Commissioners. Furthermore, this proposed rule is submitted to the Mississippi Secretary of State for eventual publication in the Administrative Code.

3. Briefly describe the effect the proposed action will have on the public health, safety, and welfare:

None.

4. Estimated Cost of implementing proposed action:

- a. To the agency

☐ Nothing ☒ Minimal ☐ Moderate ☐ Substantial ☐ Excessive

- b. To other state or local government entities

☐ Nothing ☒ Minimal ☐ Moderate ☐ Substantial ☐ Excessive

5. Estimated Cost and/or economic benefit to all persons directly affected by the proposed rule:

- c. Cost:

☐ Nothing ☒ Minimal ☐ Moderate ☐ Substantial ☐ Excessive

- d. Economic Benefit:

☐ Nothing ☒ Minimal ☐ Moderate ☐ Substantial ☐ Excessive

6. Estimated impact on small businesses:

☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive

a. Estimate of the number of small businesses subject to the proposed regulation: None.

b. Projected costs for small businesses to comply: Minimal. Approximately a cost equal to two hours of incurred administrative review of Section 3 Plan and related forms. None.

c. Statement of probable effect on impacted small businesses: None.

7. The cost of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):

☐ substantially less than ☐ moderately less than ☐ minimally less than
☐ the same as ☒ minimally more than ☐ moderately more than
☐ substantially more than ☐ excessively more than

8. The benefit of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):

☐ substantially less than ☐ moderately less than ☐ minimally less than
☐ the same as ☒ minimally more than ☐ moderately more than
☐ substantially more than ☐ excessively more than

B. Reasonable Alternative Methods

1. Other than adopting this rule, are there less costly or less intrusive methods for achieving the purpose of the proposed rule?

☐ yes ☒ no

2. If yes, please briefly describe available, reasonable alternative(s) and the reasons for rejecting those alternatives in favor of the proposed rule. (Please see §25-43-4.104 for factors you must consider.)
None.

C. Data and Methodology

1. Please briefly describe the data and methodology you used in making the estimates required by this form.

The data and methodology used in making the estimates required by this form was information obtained from designated Port directors and employees familiar with the decisions making processes of the Board of Commissioners of the MSPA.

D. Public Notice

1. Where, when, and how may someone present their views on the proposed rule and request an oral proceeding on the proposed rule if one is not already scheduled?

In accordance with Chapter 7 of the Administrative Procedures Act Rules, oral proceedings may be requested by written notice delivered to: Matthew S. Wypyski, Interim Director, Mississippi State Port Authority at Gulfport, P.O. Box 40 Gulfport, MS 39502.

SIGNATURE



TITLE

Interim Executive Director

DATE

April 11, 2013

PROPOSED EFFECTIVE DATE OF RULE

June 6, 2013